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**From:** Wang, Lili [Wang.Lili@epa.gov]  
**Sent:** 6/11/2021 4:48:03 PM  
**To:** Henry, Tala [Henry.Tala@epa.gov]; Burneson, Eric [Burneson.Eric@epa.gov]  
**CC:** Behl, Betsy [Behl.Betsy@epa.gov]; Flaherty, Colleen [Flaherty.Colleen@epa.gov]; Euling, Susan [Euling.Susan@epa.gov]; Rodgers-Jenkins, Crystal [Rodgers-Jenkins.Crystal@epa.gov]  
**Subject:** RE: Listing PFAS on the Contaminant Candidate List

Thank you so much, Tara. It's so timely. We are about to send the CCL package to the OW IO. I checked the PFAS definition on page 13. It's identical to what you sent us before. I like the "disclaimer".

For the purposes of this proposed action, the structural definition of PFAS includes per[1]and polyfluorinated substances that structurally contain the unit  $R-(CF_2)-C(F)(R')R''$ . Both the  $CF_2$  and  $CF$  moieties are saturated carbons and none of the  $R$  groups ( $R$ ,  $R'$  or  $R''$ ) can be hydrogen. It should be noted that this structural definition of PFAS is a working definition which has been used by EPA's Office of Pollution Prevention and Toxics when identifying PFAS on the TSCA Inventory. This definition may not be identical to other definitions of PFAS used within EPA and/or other organizations.

Lili

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**Lili Wang, P.E., MBA**

Acting Chief, Targeting and Analysis Branch  
Standards and Risk Management Division  
Office of Ground Water and Drinking Water  
U.S. Environmental Protection Agency  
Office: 202-564-9156  
Cell: 202-308-5619

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**From:** Henry, Tala <Henry.Tala@epa.gov>  
**Sent:** Friday, June 11, 2021 12:41 PM  
**To:** Wang, Lili <Wang.Lili@epa.gov>; Burneson, Eric <Burneson.Eric@epa.gov>  
**Cc:** Behl, Betsy <Behl.Betsy@epa.gov>; Flaherty, Colleen <Flaherty.Colleen@epa.gov>; Euling, Susan <Euling.Susan@epa.gov>; Rodgers-Jenkins, Crystal <Rodgers-Jenkins.Crystal@epa.gov>; Henry, Tala <Henry.Tala@epa.gov>  
**Subject:** RE: Listing PFAS on the Contaminant Candidate List  
**Importance:** High

Its out...

Newsroom: <https://www.epa.gov/newsreleases/epa-continues-take-action-pfas-protect-public>

The pre-pub went up yesterday.

<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/pre-publication-notice-tsca-section-8a7-reporting-and>

On page 13 is the 'definition' language (attached).

Tala R. Henry, Ph.D.  
Deputy Director  
Office of Pollution Prevention & Toxics

T: 202-564-2959

E: [henry.tala@epa.gov](mailto:henry.tala@epa.gov)

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**From:** Henry, Tala

**Sent:** Wednesday, June 9, 2021 11:54 AM

**To:** Wang, Lili <[Wang.Lili@epa.gov](mailto:Wang.Lili@epa.gov)>; Burneson, Eric <[Burneson.Eric@epa.gov](mailto:Burneson.Eric@epa.gov)>

**Cc:** Behl, Betsy <[Behl.Betsy@epa.gov](mailto:Behl.Betsy@epa.gov)>; Flaherty, Colleen <[Flaherty.Colleen@epa.gov](mailto:Flaherty.Colleen@epa.gov)>; Euling, Susan <[Euling.Susan@epa.gov](mailto:Euling.Susan@epa.gov)>; Rodgers-Jenkins, Crystal <[Rodgers-Jenkins.Crystal@epa.gov](mailto:Rodgers-Jenkins.Crystal@epa.gov)>

**Subject:** RE: Listing PFAS on the Contaminant Candidate List

Almost...it cleared OMB on Monday...we are striving for pre-pub to be posted on Thursday...will forward you that when it happens.

Tala

Tala R. Henry, Ph.D.

Deputy Director

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**From:** Wang, Lili <[Wang.Lili@epa.gov](mailto:Wang.Lili@epa.gov)>

**Sent:** Wednesday, June 9, 2021 8:52 AM

**To:** Henry, Tala <[Henry.Tala@epa.gov](mailto:Henry.Tala@epa.gov)>; Burneson, Eric <[Burneson.Eric@epa.gov](mailto:Burneson.Eric@epa.gov)>

**Cc:** Behl, Betsy <[Behl.Betsy@epa.gov](mailto:Behl.Betsy@epa.gov)>; Flaherty, Colleen <[Flaherty.Colleen@epa.gov](mailto:Flaherty.Colleen@epa.gov)>; Euling, Susan <[Euling.Susan@epa.gov](mailto:Euling.Susan@epa.gov)>; Rodgers-Jenkins, Crystal <[Rodgers-Jenkins.Crystal@epa.gov](mailto:Rodgers-Jenkins.Crystal@epa.gov)>

**Subject:** RE: Listing PFAS on the Contaminant Candidate List

I meant Tala. So sorry.

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**From:** Wang, Lili

**Sent:** Wednesday, June 09, 2021 8:51 AM

**To:** Henry, Tala <[Henry.Tala@epa.gov](mailto:Henry.Tala@epa.gov)>; Burneson, Eric <[Burneson.Eric@epa.gov](mailto:Burneson.Eric@epa.gov)>

**Cc:** Behl, Betsy <[Behl.Betsy@epa.gov](mailto:Behl.Betsy@epa.gov)>; Flaherty, Colleen <[Flaherty.Colleen@epa.gov](mailto:Flaherty.Colleen@epa.gov)>; Euling, Susan <[Euling.Susan@epa.gov](mailto:Euling.Susan@epa.gov)>; Rodgers-Jenkins, Crystal <[Rodgers-Jenkins.Crystal@epa.gov](mailto:Rodgers-Jenkins.Crystal@epa.gov)>

**Subject:** RE: Listing PFAS on the Contaminant Candidate List

Hi Tala,

Just a quick follow-up to your email below, has the TSCA section 8 rule been published? We've incorporated your definition of PFAS into the Draft CCL 5 FRN for the PFAS listing and could reference the section 8 rule, if it's published. Thanks,

Lili

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**Lili Wang, P.E., MBA**

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U.S. Environmental Protection Agency

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**From:** Henry, Tala <[Henry.Tala@epa.gov](mailto:Henry.Tala@epa.gov)>  
**Sent:** Wednesday, May 19, 2021 4:16 PM  
**To:** Burneson, Eric <[Burneson.Eric@epa.gov](mailto:Burneson.Eric@epa.gov)>  
**Cc:** Behl, Betsy <[Behl.Betsy@epa.gov](mailto:Behl.Betsy@epa.gov)>; Flaherty, Colleen <[Flaherty.Colleen@epa.gov](mailto:Flaherty.Colleen@epa.gov)>; Wang, Lili <[Wang.Lili@epa.gov](mailto:Wang.Lili@epa.gov)>; Euling, Susan <[Euling.Susan@epa.gov](mailto:Euling.Susan@epa.gov)>  
**Subject:** RE: Listing PFAS on the Contaminant Candidate List

Below is the language we have in the TSCA section 8 rule to collect a wide variety of data on PFAS, that is currently at OMB and we will publish hopefully by end of the month:

For the purposes of this proposed action, the structural definition of PFAS includes per- and polyfluorinated substances that structurally contain the unit  $R-(CF_2)-C(F)(R')R''$ . Both the  $CF_2$  and  $CF$  moieties are saturated carbons and none of the  $R$  groups ( $R$ ,  $R'$  or  $R''$ ) can be hydrogen.

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**From:** Burneson, Eric <[Burneson.Eric@epa.gov](mailto:Burneson.Eric@epa.gov)>  
**Sent:** Wednesday, May 19, 2021 2:53 PM  
**To:** Henry, Tala <[Henry.Tala@epa.gov](mailto:Henry.Tala@epa.gov)>  
**Cc:** Behl, Betsy <[Behl.Betsy@epa.gov](mailto:Behl.Betsy@epa.gov)>; Flaherty, Colleen <[Flaherty.Colleen@epa.gov](mailto:Flaherty.Colleen@epa.gov)>; Wang, Lili <[Wang.Lili@epa.gov](mailto:Wang.Lili@epa.gov)>; Euling, Susan <[Euling.Susan@epa.gov](mailto:Euling.Susan@epa.gov)>  
**Subject:** RE: Listing PFAS on the Contaminant Candidate List

The magic formula is that we can write "The Draft Contaminant Candidate List 5 (CCL 5) and the Final CCL 5, when published, will not impose any requirements on regulated entities."  
Let us know who to contact/how to reference the OPPT working definition of PFAS.

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**From:** Henry, Tala <[Henry.Tala@epa.gov](mailto:Henry.Tala@epa.gov)>  
**Sent:** Wednesday, May 19, 2021 2:49 PM  
**To:** Burneson, Eric <[Burneson.Eric@epa.gov](mailto:Burneson.Eric@epa.gov)>  
**Cc:** Behl, Betsy <[Behl.Betsy@epa.gov](mailto:Behl.Betsy@epa.gov)>; Flaherty, Colleen <[Flaherty.Colleen@epa.gov](mailto:Flaherty.Colleen@epa.gov)>; Wang, Lili <[Wang.Lili@epa.gov](mailto:Wang.Lili@epa.gov)>; Euling, Susan <[Euling.Susan@epa.gov](mailto:Euling.Susan@epa.gov)>  
**Subject:** RE: Listing PFAS on the Contaminant Candidate List

Wow, what is the magic formula for that?

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**From:** Burneson, Eric <Burneson.Eric@epa.gov>  
**Sent:** Wednesday, May 19, 2021 2:24 PM  
**To:** Henry, Tala <Henry.Tala@epa.gov>  
**Cc:** Behl, Betsy <Behl.Betsy@epa.gov>; Flaherty, Colleen <Flaherty.Colleen@epa.gov>; Wang, Lili <Wang.Lili@epa.gov>; Euling, Susan <Euling.Susan@epa.gov>  
**Subject:** RE: Listing PFAS on the Contaminant Candidate List

One other point Tala. I was mistaken when I wrote we were transmitting draft CCL5 to OMB. They waived review. We are preparing the notice for signature/publication.

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**From:** Burneson, Eric  
**Sent:** Wednesday, May 19, 2021 12:00 PM  
**To:** Henry, Tala <Henry.Tala@epa.gov>  
**Cc:** Behl, Betsy <Behl.Betsy@epa.gov>; Flaherty, Colleen <Flaherty.Colleen@epa.gov>; Wang, Lili <Wang.Lili@epa.gov>; Euling, Susan <Euling.Susan@epa.gov>  
**Subject:** RE: Listing PFAS on the Contaminant Candidate List

Tala:  
Thank you for the rapid response. I have replied to your questions in blue below. Also note that in my response below I  

Ex. 5 Deliberative Process (DP)

  
Eric

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**From:** Henry, Tala <Henry.Tala@epa.gov>  
**Sent:** Wednesday, May 19, 2021 10:55 AM  
**To:** Burneson, Eric <Burneson.Eric@epa.gov>  
**Cc:** Behl, Betsy <Behl.Betsy@epa.gov>; Flaherty, Colleen <Flaherty.Colleen@epa.gov>; Wang, Lili <Wang.Lili@epa.gov>; Euling, Susan <Euling.Susan@epa.gov>; Henry, Tala <Henry.Tala@epa.gov>  
**Subject:** RE: Listing PFAS on the Contaminant Candidate List

Hi Eric,  
see below

Tala R. Henry, Ph.D.  
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**From:** Burneson, Eric <Burneson.Eric@epa.gov>  
**Sent:** Wednesday, May 19, 2021 10:27 AM  
**To:** Henry, Tala <Henry.Tala@epa.gov>  
**Cc:** Behl, Betsy <Behl.Betsy@epa.gov>; Flaherty, Colleen <Flaherty.Colleen@epa.gov>; Wang, Lili <Wang.Lili@epa.gov>; Euling, Susan <Euling.Susan@epa.gov>  
**Subject:** Listing PFAS on the Contaminant Candidate List

Tala:

We are in the final stages of developing a draft fifth Contaminant Candidate List (CCL 5) for public comment and are working to transmit this draft to OMB in the coming weeks. Because of the high priority of PFAs the following language is in our notice:

## **Ex. 5 Deliberative Process (DP)**

The notice also clarifies that listing contaminants as groups does not mean that the agency will regulate the contaminants as groups:

## **Ex. 5 Deliberative Process (DP)**

I am writing to you because we do not have an OPPT participant on our Workgroup for this action and we wanted to be certain that this proposed CCL5 grouping does not have unforeseen implications for OPPT. Can you or someone from your organization let us know if you have concerns with this approach?

As you know, ORD and OPPT do not believe ALL PFAS are a single group – not from chemical structure/class, pchem property, or biological effects perspective, i.e., it is not best available science to consider all one class or group for assessment purposes.

**Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

Another issue occurs to me: Given there is not a consensus definition of PFAS (within EPA nor internationally...yet) how are you defining what will be on the CCL? OPPT has a “working definition”, i.e., a chemical structure definition we have used in several rulemakings.

**Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

Eric G. Burneson  
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Office of Ground Water and Drinking Water  
U.S. Environmental Protection Agency

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